



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01842NS

Friday March 31, 2017

Non Streamlined International Applications/Petitions Accepted For Filing
Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Petitions

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission. Pursuant to Section 1.1910(b)(2) of the rules, action will be withheld on any application by any entity found to be delinquent in its debts to the Commission. Applicants should check the Red Light Display System's website at www.fcc.gov/redlight to determine if they are delinquent in a debt to the Commission and for information on how to pay the debt.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Onvoy Spectrum, LLC (Onvoy Spectrum or Petitioner) has filed a petition for declaratory ruling (Petition) pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), and section 1.990(a)(1) of the Commission's rules, 47 CFR § 1.990(a)(1), that it would not serve the public interest to prohibit more than 25 percent foreign ownership of Onvoy Spectrum's ultimate, controlling U.S. parent, GTCR Onvoy Holdings LLC (Holdings). Onvoy Spectrum holds a nationwide non-common carrier wireless license, Call Sign WQVK773, in the 3650-3700 MHz band (License). Petitioner intends to modify its License to include common carrier status in addition to non-common carrier status. Onvoy Spectrum filed the Petition in connection with the license conversion due to the presence of aggregate, direct and indirect foreign investment in Holdings that exceeds the 25 percent benchmark in section 310(b)(4).

Onvoy Spectrum is a Colorado limited liability company that is a direct, wholly-owned subsidiary of Onvoy, LLC (d/b/a Inteliquent), a Delaware limited liability company. Onvoy, LLC is, in turn, an indirect, wholly-owned subsidiary of Holdings. According to the Petition, Holdings is managed by a Board of Managers comprised of Fritz Hendricks, Philip A. Canfield, Lawrence C. Fey, and Stephen P. Master, all of whom are U.S. citizens. Both Onvoy LLC and Holdings are Delaware limited liability companies. Holdings is an investment vehicle created to aggregate the ownership of various investment funds managed by GTCR LLC, a private equity firm.

GTCR Fund X/A LP (Fund X/A) and GTCR Fund X/C LP (Fund X/C), both organized in Delaware, directly hold the majority of Holdings' membership interests: 64.7 percent and 18.5 percent, respectively. Petitioner asserts that all limited partnership interests in Fund X/A and Fund X/C are fully insulated in accordance with section 1.993 of the Commission's rules, 47 CFR § 1.993. The general partner of Fund X/A and Fund X/C is GTCR Partners X/A&C LP, a Delaware limited partnership comprised of limited partners that are all individual U.S. citizens and a Delaware-organized general partner, GTCR Investment X LLC. According to Petitioner, all of the members of GTCR Investment X LLC also comprise its board of managers and all are U.S. citizens as follows: Mark M. Anderson, Craig A. Bondy, Philip A. Canfield, Aaron D. Cohen, Sean L. Cunningham, David A. Donnini, Constantine S. Mihas, and Collin E. Roche.

Petitioner estimates that an aggregate 35.65 percent of the equity investment in Holdings is held directly and/or indirectly by foreign citizens or entities as follows: (1) various foreign members of Holdings (an aggregate 1.93%); (2) various U.S. members of Holdings through which there is foreign ownership (other than Fund X/A or Fund X/C) (an aggregate 4.31%); (3) known foreign ownership through Fund X/A (an aggregate 6.73%); (4) known foreign ownership through Fund X/C (an aggregate 14.27%); (5) unknown interests through Fund X/A (3.45%); (6) unknown interests through Fund X/C (3.07%), for a total of 35.65 percent aggregate foreign ownership. Petitioner notes that "unknown" refers to U.S. limited partners in Fund X/A and Fund X/C that reported they may have foreign ownership. For purposes of its foreign ownership calculations, Petitioner assumed those U.S. limited partners had 100 percent foreign ownership. Petitioner also states, however, that all known and "unknown" foreign ownership interests are fully insulated pursuant to section 1.993 of the rules, 47 CFR § 1.993. For purposes of our foreign ownership review, and pursuant to section 1.992 of the rules, we treat these foreign insulated investors as also holding a voting interest in Holdings that is equal to their respective equity interests.

Petitioner requests that the Commission issue a declaratory ruling pursuant to section 310(b)(4) of the Act that the public interest would not be served by prohibiting aggregate foreign ownership of Holdings, as the controlling U.S. parent of Onvoy Spectrum, in excess of the 25 percent benchmark in section 310(b)(4) of the Act.

Interested parties may file comments on or before April 14, 2017, and reply comments on or before April 21, 2017.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.